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EXAMINER
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ART UNIT	PAPER NUMBER
2424	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	09/744,281	AGASSE, BERNARD
	Examiner	Art Unit
	FARZANA E. HOSSAIN	2424

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 September 2008_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _See Continuation Sheet_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11,13-20,22,23,27-38,51-59,61,65,76-87,110-114,116,119,127,131,135 and 141-144_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 February 2006_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All   b)☐ Some *   c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims pending in the application are 1-11,13-20,22,23,27-38,51-59,61,65,76-87,110-114,116,119,127,131,135 and 141-144.

DETAILED ACTION

Response to Amendment

1.   This office action is response to communications filed 08/21/2008. Claims

1-11, 13-20, 22, 23, 27-38, 51-59, 61, 65, 76-87, 110-114, 116, 119, 127, 131,

135 and 141-144 are pending. Claims 1, 51 and 141 are amended. Claims 2-11,

13-20, 22, 23, 27-38, 52-59, 61, 65, 76-87, 110-114, 116, 119, 127, 131, 135 and

142-144 have been previously presented. Claims 12, 21, 24-26, 39-50, 60, 62-

64, 66-75, 88-109, 115, 117-118, 120-126, 128-130, 132-134 and 136-140 are

cancelled.

Response to Arguments

2.   Applicant's arguments with respect to claims have been considered but

are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

4.   Claims 1-8, 15, 16, 28-30, 35, 38, 51-56, 76-78, 83, 86, 86, 111, 112, 114,

131, 135 and 141-142 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Florin et al (US 5,594,509) and hereafter referred to as

"Florin") in view of Eyer et al (US 5,594,794 and hereafter referred to as "Eyer")

and Aras et al (US 5,872,588 and hereafter referred to as "Aras").

Regarding Claims 1 and 51, Florin discloses a decoder and a method for

controlling the display of a plurality of digital television channels in respective

windows of a mosaic formation (Figures 33-35, Column 9, lines 30-39, Column

10, lines 53-59), wherein the decoder and method is configured to

receive at least one encrypted program or pay per view programs or

premium programs (Column 9, lines 13-25, Figure 2, 66, Column 11, lines 30-

32), wherein the at least one encrypted program comprises both encrypted audio

and encrypted video as programs with audio and video need to be descrambled

(Column 9, lines 13-25, Column 11, lines 30-38);

receive a mosaic comprising a plurality of unencrypted programs or

general programming (Figures 33-35, Column 9, lines 8-20), including the at

least one encrypted program in unencrypted form (Figure 33, Figure 34, Figure

35, 380);

display the mosaic (Figures 33-35);

receive a selection for the at least one encrypted program in unencrypted

form in the mosaic (Figure 35, 380, 375); and

determine whether complete access rights exist for the selected program

or using the descrambling circuitry to display the pay per view program from the

preview (Figure 35);

wherein the decoder is configured to prohibit one of audio access or visual

access to the selected program in the mosaic upon a determination that

complete access rights are not available for the corresponding at least one

encrypted program or if the PIN number is not entered correctly the pay per view

program is not displayed to the viewer and only the preview is displayed to the

viewer as the program is not descrambled (Column 21, lines 33-54, Column 23,

lines 27-55, Column 9, lines 13-25). Florin does not explicitly disclose that

wherein the one of only audio access and visual access is prohibited after a

predetermined length of time based upon determination that complete access

rights are not available for corresponding at least one encrypted program and

wherein complete audio and visual access to the selected program is provided

during the predetermined length of time. However, Florin is silent on the one of

only audio access and visual access is prohibited after a predetermined length of

time based upon determination that complete access rights are not available for

corresponding at least one encrypted program.

In analogous art, Eyer discloses the audio access and visual access is

prohibited after a predetermined length of time based upon determination that

complete access rights are not available for corresponding at least one encrypted

program (Column 5, lines 21-54, Column 10, lines 48-65) wherein complete

audio and visual access to the selected program is provided during the

predetermined length of time (Column 5, lines 21-54, Column 10, lines 48-65). In

analogous art, Aras discloses wherein the at least one encrypted program

comprised both encrypted audio and encrypted video (Column 6, lines 63-67,

Column 7, lines 1) and prohibiting only audio or only video for the at least one

encrypted program (Column 10, lines 9-27).

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify Florin to include the audio access and

visual access is prohibited after a predetermined length of time based upon

determination that complete access rights are not available for corresponding at

least one encrypted program (Column 5, lines 21-54, Column 10, lines 48-65)

wherein complete audio and visual access to the selected program is provided

during the predetermined length of time (Column 5, lines 21-54, Column 10, lines

48-65) as taught by Eyer in order to improve security to prevent unscrupulous

viewers to watch free previews for more than the maximum duration (Column 1,

lines 28-57) as disclosed by Eyer. Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to modify the

combination to include prohibiting only audio or only video for the at least one

encrypted program (Column 10, lines 9-27) as taught by Aras in order to allow

parents to control what their children are watching.

Moreover, in *KSR International Co. Teleflex Inc.*, 127 S.Ct 1727, No. 04-

1350, slip. op. at 12 (2007), the Court found that if all the claimed elements are

known in the prior art then one skilled in the art could have combined the

elements as claimed by known methods with no change in their respective

functions, and the combination would have yield predictable results to one of

ordinary skill in the art at the time of the invention.

Regarding Claim 141, Florin a decoder for controlling the display of a

plurality of digital television channels (Figures 33-35, Column 9, lines 30-39,

Column 10, lines 53-59, Figure 2, 62), the decoder comprising:

means for receiving a first encrypted program and a second encrypted

program or pay per view programs as there are multiple pay per view channels

(Column 9, lines 13-25, Figure 2, 66, Column 11, lines 30-32); wherein the first

and second encrypted program comprise both encrypted audio and encrypted

video as programs with audio and video need to be descrambled (Column 9,

lines 13-25, Column 11, lines 30-38);

means for displaying a mosaic comprising a plurality of unencrypted

programs (Figures 33-35, Column 9, lines 8-20), including the first encrypted

program and the second encrypted program in unencrypted form or multiple

channels can be displayed in the mosaic including first and second pay per view

channels displaying a first pay per view program and second pay per view

program (Figures 33-35, Column 11, lines 30-32, Column 10, lines 53-59);

means for receiving a selection from a user for access to the first

encrypted program displayed in unencrypted form in the mosaic or selecting the

pay per view program (Figure 35, 375, 380); and

means for determining whether complete access rights exist for the

selected first encrypted program using the descrambling circuitry to display the

pay per view program from the preview (Figure 35);

wherein the decoder is configured to prohibit one of audio access and

visual access to the unencrypted form of the selected first encrypted program

displayed in the mosaic upon a determination that complete access rights are not

available for the first encrypted program or if the PIN number is not entered

correctly the pay per view program is not displayed to the viewer and only the

preview is displayed to the viewer as the program is not descrambled (Column

21, lines 33-54, Column 23, lines 27-55, Column 9, lines 13-25). However, Florin

is silent on the one of only audio access and visual access is prohibited after a

predetermined length of time based upon determination that complete access

rights are not available for corresponding at least one encrypted program

wherein complete audio and visual access to the selected program is provided

during the predetermined length of time. In analogous art, Eyer discloses the

audio access and visual access is prohibited after a predetermined length of time

based upon determination that complete access rights are not available for

corresponding at least one encrypted program (Column 5, lines 21-54, Column

10, lines 48-65) wherein complete audio and visual access to the selected

program is provided during the predetermined length of time (Column 5, lines 21-

54, Column 10, lines 48-65). In analogous art, Aras discloses wherein the

encrypted programs comprised both encrypted audio and encrypted video

(Column 6, lines 63-67, Column 7, lines 1) and prohibiting only audio or only

video for the first encrypted program (Column 10, lines 9-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Florin to include the audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program (Column 5, lines 21-54, Column 10, lines 48-65) wherein complete audio and visual access to the selected program is provided during the predetermined length of time (Column 5, lines 21-54, Column 10, lines 48-65) as taught by Eyer in order to improve security to prevent unscrupulous viewers to watch free previews for more than the maximum duration (Column 1, lines 28-57) as disclosed by Eyer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include prohibiting only audio or only video for the first encrypted program (Column 10, lines 9-27) as taught by Aras in order to allow parents to control what their children are watching.

Moreover, in *KSR International Co. Teleflex Inc.*, 127 S.Ct 1727, No. 04-1350, slip. op. at 12 (2007), the Court found that if all the claimed elements are known in the prior art then one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yield predictable results to one of ordinary skill in the art at the time of the invention.

Regarding Claims 2 and 52, Florin, Eyer and Aras disclose all the limitations of Claims 1 and 51 respectively. Florin disclose that the decoder

receives access rights together with the audiovisual data for creating the mosaic as the descrambling circuitry descrambles premium programs and programs are not descrambled until the user purchase the program with a PIN (Figure 35, Column 21, lines 33-54, Column 23, lines 27-55, Column 9, lines 13-25). Eyer discloses that encrypted programs are received with access rights (Column 4, lines 55-67, Column 5, lines 1-38).

Regarding Claim 3, Florin, Eyer and Aras disclose all the limitations of Claim 2. Florin discloses the decoder is configured to issue a request for full audio and visual access to a one of a channel and a program displayed in a window (Figures 33, Column 20, lines 49-53, Column 9, lines 13-27, Column 11, lines 29-40).

Regarding Claims 4 and 53, Florin, Eyer and Aras disclose all the limitations of Claims 1 and 51 respectively. Florin discloses decoder is configured to generate a cursor for display with the mosaic formation, the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figures 33-35, 375, 380).

Regarding Claims 5 and 54, Florin, Eyer and Aras disclose all the limitations of Claims 4 and 53 respectively. Florin discloses decoder if configured to generate audio information associated with a particular channel in response to the positioning of the cursor over the window displaying the particular channel (Column 20, lines 49-55).

Regarding Claims 6 and 55, Florin, Eyer and Aras disclose all the limitations of Claims 5 and 54 respectively. Eyer discloses the decoder is configured to prohibit the generation of audio information according to the received access rights (Column 4, lines 55-67, Column 5, lines 1-38, Column 10, lines 48-65). Aras discloses prohibiting the generation of audio information (Column 10, lines 9-27).

Regarding Claims 7 and 56, Florin, Eyer and Aras disclose all the limitations of Claims 6 and 55 respectively. Florin discloses displaying the mosaic and the access rights of the particular program in the mosaic window to allow for a preview and prohibit the generation audio of the program (Figure 35). Eyer discloses the decoder is configured to prohibit the generation of audio information according to the received access rights as the user does not have access to the program after the preview period or longer than a predetermined length of time (Column 4, lines 55-67, Column 5, lines 1-54, Column 10, lines 48-65).

Regarding Claim 8, Florin, Eyer and Aras disclose all the limitations of Claim 3. Florin discloses the decoder is arranged to issue a request when a cursor has been placed on that window (Figures 33-35, 380) to receive audio and video of the program by placing the cursor on the window after a predetermined period of time or immediately (Figures 33-34, 375, Column 20, lines 49-55).

Regarding Claims 15 and 111, Florin, Eyer and Aras disclose all the limitations of Claim 4 and 53 respectively. Florin discloses turning the decoder to

a channel displayed in the desired window upon selection of the desired window

(Figures 33-35, Column 21, lines 16-32).

Regarding Claims 16 and 112, Florin, Eyer and Aras disclose all the

limitations of Claim 4 and 53 respectively. Florin discloses displaying comprising

information regarding the program displayed in the desired window is generated

upon selection of the desired window (Figure 38).

Regarding Claims 28 and 76, Florin, Eyer and Aras disclose all the

limitations of Claim 1 and 51 respectively. Florin discloses that the receiving

means receive access rights from a remote control handset associated with the

decoder (Column 23, lines 40-45).

Regarding Claims 29 and 77, Florin, Eyer and Aras disclose all the

limitations of Claim 28 and 76 respectively. Florin discloses the decoder is

configured to receive a PIN number from the remote control wherein the decoder

authenticates the received PIN number and upon authentication of the received

PIN number, permits reception of the access rights (Column 23, lines 40-55).

Regarding Claims 30 and 78, Florin, Eyer and Aras disclose all the

limitations of Claim 1 and 51 respectively. Florin discloses that the generation of

at least a portion of video information in the window is prohibited in dependence

on the access rights to one of a program and a channel displayed in that window

or that generation of the PPV channel is prohibited based on whether the user

has ordered the movie or else only the preview is displayed (Figure 35). See

rejection of claims 1 and 51.

Regarding Claims 35 and 83, Florin, Eyer and Aras disclose all the limitations of Claim 30 and 78 respectively. Florin discloses means for controlling the display of further video information instead of the at least video information as only the programs that are ordered and authorized are displayed (Column 21, lines 40-53, Column 23, lines 40-55).

Regarding Claims 38 and 86, Florin, Eyer and Aras disclose all the limitations of Claims 1 and 51 respectively. Florin discloses decoder is configured to positionally control the relative positions of the windows with the mosaic formation based on access rights to the programs displayed in the mosaic such as pay per view events (Column 21, lines 3-15, Column 22, lines 65-67, Column 23, lines 1-3).

Regarding Claims 87, Florin, Eyer and Aras disclose all the limitations of Claim 86. See rejection of Claims 1, 38, 51 and 86.

Regarding Claim 114, Florin, Eyer and Aras discloses all the limitations of Claim 53. Florin discloses that program guide display can be mosaic (Figures 33-35) and a forthcoming program schedule comprises a textual display of program schedule information (Figures 12-16).

Regarding Claims 131, Florin, Eyer and Aras disclose all the limitations of Claim 86. Florin discloses positional control means for controlling the relative positions of the windows are controlled according to program characteristics of programs normally shown on the channels displayed in the windows (Column 22, lines 1-15).

Regarding Claim 135, Florin, Eyer and Aras disclose all the limitations of

Claim 86. Florin discloses a positional control means is arranged to maintain a

window displaying a particular channel and program in a constant position in the

mosaic formation (Figures 27-29, 365, Figure 30, 325, Figures 33-35).

Regarding Claim 142, Florin, Eyer and Aras disclose all the limitations of

Claim 141. Florin discloses a mosaic displaying programs including the first

encrypted program and the second encrypted program in unencrypted form or

multiple channels can be displayed in the mosaic displaying a first pay per view

program and second pay per view program (Figures 33-35, Column 11, lines 30-

32, Column 10, lines 53-59) and determining whether a user has complete

access to the second encrypted program based on the access rights associated

with the user based on the user ordering the program (Figure 35, 380) and

means for providing complete audio and visual access to the user to the

unencrypted form of the second encrypted program, when access rights

associated with the user are received for the second encrypted program (Column

23, lines 40-55). Eyer discloses means for determining whether a user is

permitted complete access to the second encrypted program based on the

access rights associated with the user as complete access rights are not

available for the corresponding encrypted program (Column 5, lines 21-54,

Column 10, lines 48-65) and means for providing complete audio and visual

access to the user to the unencrypted form of the second encrypted program

when access rights associated with the user are received for the second

encrypted program (Column 4, lines 55-67, Column 5, lines 1-54, Column 10,

lines 48-65). Aras discloses permitting one of only audio access and only visual access to the version of encoded program that can be viewed by an unrestricted viewer of an encoded program when the user is not permitted complete access rights of the selected program (Column 10, lines 9-27).

5.   Claims 9, 10, 57, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Aras as applied to claims 4 and 53 above, and further in view of Berstis et al (US 5,874,936 and hereafter referred to as "Berstis").

Regarding Claims 9 and 57, Florin, Eyer and Aras disclose all the limitations of Claims 4 and 53 respectively. Florin discloses that premium programs are descrambled by the descrambling circuitry based on access rights (Column 9, lines 13-27, Column 11, lines 29-40). Florin, Eyer and Aras are silent on means for automatically re-positioning the cursor in the event that the cursor is placed over the window displaying a program or channel to which full audio and visual access is prohibited. Berstis discloses means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active or not accessible after performing a check to determine if the window is opened (Column 3, lines 5-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active after a predetermined period of time (Column 3, lines 5-39) as taught by Berstis in order

to allow the user to navigate through multiple open windows for convenience to the user (Column 1, lines 21-60 as disclosed by Berstis.

Regarding Claims 10 and 58, Florin, Eyer, Aras and Berstis disclose all the limitations of Claims 9 and 57 respectively. Florin discloses the mosaic (Figures 33-35). Berstis discloses repositioning the cursor after the expiration of a predetermined time or immediately (Column 3, lines 5-33).

6.   Claims 11, 13, 59 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Aras as applied to claims 4 and 53 above, and further in view of Hanaya et al (US 2003/0101452 and hereafter referred to as "Hanaya").

Regarding Claims 11 and 59, Florin, Eyer and Aras disclose all the limitations of Claims 4 and 53 respectively. Florin discloses a cursor (Figures 33-35, 375, 380). Florin, Eyer and Aras are silent on means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned. Hanaya discloses a system for displaying a plurality of channels and programs in respective windows (Figure 19). Hanaya discloses a system for displaying a plurality of channels and programs in respective windows (Figure 19). Hanaya discloses means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned (Page 9, paragraph 0147). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify the combination to include means for changing an attribute of the

cursor depending on the characteristic of at least one of a program and a

channel displayed in a window over which the cursor is positioned such as the

cursor is changed to different broadcast channel (Page 9, paragraph 0147) as

taught by Hanaya in order to make it easier and more convenient for a user to

view the programs selected or highlighted.

Regarding Claims 13 and 61, Florin, Eyer, Aras and Hanaya disclose all

the limitations of Claims 11 and 59 respectively. Florin discloses a cursor

(Figures 33-35, 380). Hanaya discloses that the programs are accessed via

highlights or colors or changing the color of the cursor depending on the

characteristic of the program (Page 9, paragraph 0147).

7.   Claims 14 and 110 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Florin in view of Eyer, Aras and Hanaya as applied to claims

11, 59 above, and further in view of Young et al (US 5,809,204 and hereafter

referred to as "Young").

Regarding Claim 14 and 110, Florin, Eyer, Aras and Hanaya disclose all

the limitations of Claims 11 and 59 respectively. Hanaya discloses selecting

programs via the channel (Page 9, paragraph 0147). Florin, Eyer, Aras and

Hanaya are silent on assigning the characteristic from a remote control handset

associated with the decoder and means for assigning the characteristic in

response to the received data. Young discloses means for receiving data for

assigning the characteristic from a remote control handset associated with the

decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

8.   Claims 17, 18, 65, 119 and 127 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Aras as applied to claims 1, 16 and 51 above, and further in view of Niijima et al (US 5,903,314 and hereafter referred to as "Niijima").

        Regarding Claims 17, 18 and 65, Florin, Eyer and Aras disclose all the limitations of Claim 1, 16 and 51 respectively. Florin discloses generating a cursor for display with the mosaic formation (Figures 33-35, 380), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 33-35, 380), and means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Figures 33-35, 375, 380). Florin, Eyer and Aras are silent on receiving the data by communicating with a communications center to obtain the information

regarding the program displayed in the desired window. In analogous art, Niijima

discloses a decoder (Figure 8, 2) for controlling the display of digital TV channels

in respective windows of a mosaic formation (Column 2, lines 49-57, Figure 8,

Figure 28, Figure 5, Figure 7, Figure 11), the decoder comprising means for

generating a cursor for display with the mosaic formation (Figure 5,201, Figure

20, 201), the cursor being selectively movable over the windows of the mosaic

formation to enable selection of a desired window within the mosaic formation

(Figure 5, 201, Figure 20,201), and means for generating a display comprising

information regarding the program displayed in the desired window upon

selection of the desired window (Column 17, lines 4-23). Niijima discloses that

the user can select and program and transmit to the communications center the

request for information about the program or the program, the audio of the

program regarding the program displayed in the desired window, data of a

program (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure

28, 311, 323).

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify the combination to include the

transmit to the communications center the request for information about the

program or the program, the audio of the program regarding the program

displayed in the desired window, data of a program (Column 32, lines 55-67,

Column 33, lines 1-29, Figure 27, 311, Figure 28, 311,323) as taught by Niijima

in order to provide the most up to date information to the user and to maintain

storage capacity on the receiver side.

Regarding Claim 119, Florin, Eyer and Aras and Niiijiima disclose all the

limitations of Claim 65. Florin discloses that the generation of at least a portion

of video information in the window is prohibited in dependence on the access

rights to one of a program and a channel displayed in that window or that

generation of the PPV channel is prohibited based on whether the user has

ordered the movie or else only the preview is displayed (Figure 35).

Regarding Claim 127, Florin, Eyer and Aras disclose all the limitations of

Claim 86. Florin, Eyer and Aras are silent o the relative positions of windows of

the mosaic information are controlled in response to received positioning data for

controlling relative positions of windows within mosaic formation. Niijima

discloses relative positions of windows of the mosaic information are controlled in

response to received positioning data for controlling relative positions of windows

within mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column

3, lines 1-14, Column 6, lines 35-54). Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to modify the

combination to include the transmit to the communications center the request for

information about the program or the program, the audio of the program

regarding the program displayed in the desired window, data of a program

(Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28,

311,323) as taught by Niijima in order to provide the user with an array of

positions of the mosaic so that the user can customize the screen if the user

chooses (Column 3, lines 1-26) as disclosed by Niijima.

9.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Florin in view of Eyer, Aras and Niijima as applied to claims 18 above, and further

in view of Townsend et al (WO 96/37996 and hereafter referred to as

"Townsend").

        Regarding Claim 19, Florin, Eyer, Aras and Niijima disclose all the

limitations of Claim 18. Florin, Eyer, Aras and Niijima are silent on means for

dialing up the communications to supply a request for information regarding the

program. Townsend discloses means for dialing up the communications center to

supply a request for the information regarding the program displayed in the

desired window (Figure 1, 7, Figure 12). Therefore, it would have been obvious

at the time the invention was made to modify the combination to include means

for dialing up the communications center to supply a request for the information

regarding the program displayed in the desired window (Figure 1, 7, Figure 12)

as taught by Townsend in order to simplify user control and to make the control

more user friendly (Page 5, lines 2-7) as disclosed by Townsend.

10.   Claims 20, 22 and 113 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Florin in view of Eyer and Aras as applied to claims 4 and 53

above, and further in view of Young.

        Regarding Claims 20 and 113, Florin, Eyer and Aras disclose all the

limitations of Claims 4 and 53 respectively. Florin displays EPG and selection of

time (Figures 12-16). Florin, Eyer and Aras are silent on means for generating a

display comprising a schedule with forthcoming programs of at least one digital

TV channel in respective windows. Young discloses a means for generating a display comprising a schedule with forthcoming programs of at least one digital TV channel in respective windows or a displaying of forthcoming program schedule for the channel displayed in the desired window or cell (Figure 7, 58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window (Figure 7, 58) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claim 22, Florin, Eyer, Aras and Young discloses all the limitations of Claim 20. Florin discloses that program guide display can be mosaic (Figures 33-35) and a display with textual display of program schedule information (Figures 12-16). Young discloses that the forthcoming program schedule which is in a textual display (Figure 7).

11.   Claims 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer, Aras and Young as applied to claims 20 above, and further in view of Matthews, III (US 5,815,145 and hereafter referred to as "Matthews").

Regarding Claim 23, Florin, Eyer, Aras and Young discloses all the limitations of Claim 20. Florin discloses that program guide display can be

mosaic with pictorial images of program schedule information (Figure 5, Figure

20). Young discloses that the forthcoming program schedule (Figure 7). Florin,

Eyer, Aras and Young are silent on a forthcoming schedule displays plurality of

pictorial images associated with respective forthcoming programs in respective

windows of mosaic information. Matthews discloses a forthcoming schedule

displays plurality of pictorial images associated with respective forthcoming

programs in respective windows of a mosaic formation (Figure 4, Column 6, lines

35-63). Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to modify the combination to include a

forthcoming schedule displays plurality of pictorial images associated with

respective forthcoming programs in respective windows of a mosaic information

(Figure 4, Column 6, lines 35-63) as taught by Matthews in order to provide the

user with videos of all programs in an EPG (Column 6, lines 35-63) for

convenience (Column 2, lines 33-40) as disclosed by Matthews as well as

aesthetically pleasing to the users so that they can decide on future programs as

well.

Regarding Claim 27, Florin, Eyer, Aras, Young and Matthews disclose all

the limitations of Claim 23. Matthews discloses that the plurality of pictorial

images comprises video footage (Figure 4).

12.   Claims 31, 33, 36, 56, 79, 84 and116 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Florin in view of Eyer and Aras as applied to claims

30 and 78 above, and further in view of Matthews.

Regarding Claims 31 and 79, Florin, Eyer and Aras disclose all the

limitations of Claims 30 and 78. Florin, Eyer and Aras are silent on a picture is

displayed in the window instead of at least the portion of video information. In

analogous art, Matthews discloses a picture is displayed in the window instead of

at least the portion of video information (Column 6, lines 38-44). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the combination to include a forthcoming schedule

displays plurality of pictorial images associated with respective forthcoming

programs in respective windows of a mosaic information (Figure 4, Column 6,

lines 35-63) as taught by Matthews in order to provide the user with preview

media information of all programs in an EPG (Column 6, lines 35-63) for

convenience (Column 2, lines 33-40) as disclosed by Matthews as well as

aesthetically pleasing to the users so that they can decide on future programs as

well as videos may not be available.

Regarding Claim 33, Florin, Eyer, Aras and Matthews disclose all the

limitations of Claim 31. Matthews discloses the picture comprises an image

associated with the program displayed in the window (Column 6, lines 38-44).

Regarding Claims 36 and 84, Florin, Eyer and Aras disclose all the

limitations of Claim 35 and 83 respectively. Florin, Eyer and Aras are silent on

that the further video information is promotional video information or preview

information. Matthews discloses the further video information is promotional

video information or preview information (Column 6, lines 38-63). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the combination to include further video

information is promotional video information or preview information (Column 6,

lines 38-63) as taught by Matthews in order to provide the user with preview

media information of all programs in an EPG (Column 6, lines 35-63) for

convenience (Column 2, lines 33-40) as disclosed by Matthews as well as

aesthetically pleasing to the users so that they can decide on future programs as

well as videos may not be available.

Regarding Claim 116, Florin, Eyer and Aras discloses all the limitations of

Claim 53. Florin discloses that program guide display can be mosaic with

pictorial images of program schedule information and forthcoming schedule

(Figures 12-16) as the user can select the time by scrolling (Figure 16). Florin,

Eyer and Aras are silent on a forthcoming schedule displays plurality of pictorial

images associated with respective forthcoming programs in respective windows

of a mosaic formation. Matthews discloses a forthcoming schedule displays

plurality of pictorial images associated with respective forthcoming programs in

respective windows of a mosaic formation (Figure 4, Column 6, lines 35-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the combination to include a forthcoming

schedule displays plurality of pictorial images associated with respective

forthcoming programs in respective windows of a mosaic information (Figure 4,

Column 6, lines 35-63) as taught by Matthews in order to provide the user with

videos of all programs in an EPG (Column 6, lines 35-63) for convenience

(Column 2, lines 33-40) as disclosed by Matthews as well as aesthetically

pleasing to the users so that they can decide on future programs as well.

13.   Claims 32, 80 and 81 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Florin in view of Eyer, Aras and Matthews as applied to claims

31 and 79 above, and further in view of Morales (US 5,663,757).

Regarding Claims 32 and 80, Florin, Eyer, Aras and Matthews disclose all

the limitations of Claims 31 and 79 respectively. Florin, Eyer, Aras and Matthews

are silent on logos of channels. Morales discloses that a picture comprise a logo

associated with a channel displayed in the window (Figure 3, 10). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the combination to include a picture comprising a

logo associated with a channel displayed in the window (Figure 3, 10) as taught

by Morales in order to provide the user with easier channel selection as the TV

networks may have different channels in area counties or an out of town visitor in

a hotel (Column 5, lines 10-25) as disclosed by Morales.

Regarding Claim 81, Florin, Eyer, Aras, Matthews and Morales disclose all

the limitations of Claim 79. Matthews discloses the picture comprises an image

associated with the program displayed in the window (Column 6, lines 38-44).

14.   Claims 34, 82 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Florin in view of Eyer and Aras as applied to claims 30 and 78 above, and

further in view of Balakrishnan et al (US 2001/0052135 and hereafter referred to

as "Balak").

Regarding Claims 34 and 82, Florin, Eyer and Aras disclose all the

limitations of Claim 30 and 78 respectively. Florin, Eyer and Aras are silent on an

advertisement. Balak discloses that advertisements can be seen in a mosaic

formation (Page 2, paragraph 0018). Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to modify the

combination to include means for controlling the display of an advertisement in

the window instead of a video information (Page 2, paragraph 0018) as taught by

Balak in order to provide users target commercials of their own choosing (Page

1, paragraphs 0001-0003) as disclosed by Balak.

15.   Claims 37 and 85 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Florin in view of Eyer and Aras as applied to claims 1 and 51

above, and further in view of Kahn (US 5,978,649).

Regarding Claim 37 and 85, Florin, Eyer and Aras disclose all the

limitations of Claims 1 and 51 respectively. Florin, Eyer and Aras are silent on

generating a message due to lack of access rights when a cursor is on a

channel. Kahn discloses means to generating message information a user of the

access rights of a channel in the event of placing a cursor on the channel on the

EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the

combination to include a means to generating a message information a user of

the access rights of a channel in the event of placing a cursor on the channel on

the EPG (Column 7, lines 42-56) as taught by Kahn in order to control channel

authorization in case such as PPV channels or movies with access rights

(Column 1, lines 26-31) as disclosed by Kahn.

16.   Claims 143 and 144 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Florin in view of Eyer and Aras as applied to claims 1 and 51

above, and further in view of Jeffers et al (US 5,036,537 and hereafter referred to

as "Jeffers").

      Regarding Claims 143 and 144, Florin, Eyer and Aras disclose all the

limitations of Claims 1 and 51 respectively.   Florin discloses a mosaic to display

programs in a picture in picture mode to display programming on channels for

selection (Figure 33). Aras discloses viewing of the program is blocked out when

it is unsuitable via access rights of ratings (Column 1, lines 9-27). Florin, Eyer

and Aras are silent on that the selected program is completely blacked out by the

receiver when access rights are not received. Jeffers discloses the selected

program is completely blacked out by the receiver when access rights are not

received (Column 7, lines 12-27). Therefore, it would have been obvious to one

of ordinary skill in the art at the time the invention was made to modify the

combination to include the selected program is completely blacked out by the

receiver when access rights are not received (Column 7, lines 12-27) as taught

by Kahn in order to control channel authorization in for geographic areas with

access rights (Column 1, lines 8-14) as disclosed by Jeffers.

Conclusion

17.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA E. HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Chris Kelley/
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FEH
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